

Document No. 3153
Adopted at Meeting of 7/ 10/75

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON APPLICATION OF HEADSTART
HOUSING ASSOCIATES FOR APPROVAL OF A REDEVELOPMENT
PROJECT UNDER G.L. CHAPTER 121A AND CHAPTER 652 OF
THE ACTS OF 1960, AS AMENDED, ON PARCELS RC-9 AND
R-11 IN THE SOUTH END URBAN RENEWAL AREA

A. The Hearing. A public hearing was held at 1:30 P.M. on June 18, 1975, in the offices of the Boston Redevelopment Authority (the "Authority"), at the New City Hall, Room No. 921, Boston, Massachusetts, by the Authority on an Application (the "Application"), filed by Edward A. Fish, General Partner, Walter Zuk, Limited Partner (1%), John A. Power, Limited Partner, as partners in a limited partnership known as Headstart Housing Associates (the "Applicant") for Authorization and Approval of a Redevelopment Project Under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended (the "Project"), due notice of said hearing having been given previously by publication on June 9, 1975, and June 16, 1975, in the Boston Herald-American, a daily newspaper of general circulation published in Boston, and mailing postage prepaid in accordance with Rule 8 of the Rules and Regulations of the Authority for Securing the Approval of Chapter 121A Projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended. Robert L. Farrell, Chairman of the Authority, and Joseph J. Walsh, James G. Colbert, Paul J. Burns and James K. Flaherty, members of the Authority, were present throughout the hearing.

B. The Project. The Project consists of the acquisition of Parcels RC-9 and R-11 in the South End Urban Renewal Area by the Applicant from the Authority, and the construction, operation and maintenance thereon of approximately 156 units of low and moderate income housing and appurtenant facilities. The premises on which the Project is to be located contain approximately 73,151 square feet, and are hereinafter referred to as the "Project Area". The Project Area is presently owned by the Authority. The Project is to be financed under Section 8 of the Community Development Act of 1974.

The Applicant proposes to build the following structure and facilities on the Project Area:

Three new structures and one rehabilitated building containing 156 units. Fifty parking spaces will be provided. The new buildings will be of brick faced concrete and masonry construction, and the building to be rehabilitated is of brick construction. The building and facilities are more fully described in the Outline Specifications submitted as Exhibit C of the Application, and in the Plans filed therewith.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all Documents, Plans and Exhibits filed therewith or referred to therein, the oral evidence presented at the Hearing, the Exhibits offered in evidence at the Hearing and the arguments and statements made at the Hearing. The members of the Authority have also viewed the Project Area.

The Project, as defined in the Application, constitutes a Project within the meaning of Section 1 of Chapter 121A of the General Laws, providing, as it does, for the construction, operation and maintenance of decent, sanitary and safe residential buildings and appurtenant facilities.

D. Project Area Blighted Open, Decadent, or Substandard. Pursuant to the adoption of the South End Urban Renewal Plan by the Authority on September 23, 1965, the Project Area was found to be substandard and decadent. Pre-existing structures, except for the building to be rehabilitated (formerly MacDonald's Warehouse) on Parcel RC-9, are to be demolished by the Authority pursuant to the Urban Renewal Plan. Both parcels stand in an area which is obviously substandard by reason of the dilapidated, crowded conditions existing on adjacent blocks. The potential for any further growth in the surrounding area will be detrimentally affected by the continued existence of the sites in their present condition. Substantial changes in business and economic conditions within and without the project area have made it extremely unlikely that the area will be redeveloped by ordinary operations of private enterprise.

The welfare of the Central City, which is nearby, might otherwise be negatively affected by continued maintenance of these sites as they are now.

These conditions warrant the carrying out of the Project in accordance with the legislative mandate contained in Chapter 121A of the General Laws. The purposes of Chapter 121A and Chapter 652 of the Acts of 1960 will be met by this Project, which will replace blighted, substandard, and decadent conditions of the Project Area with new housing accommodations which are decent, safe and sanitary. The Project will provide much needed housing for persons of low and moderate income. Such housing is especially needed by the community in and around the South End. It will also stimulate future development and growth in the South End Area.

The Project will provide the City of Boston with a stable source of future revenue, under a Contract substantially in the form of Exhibit K. of the Application. Exhibit K sets forth the amounts to be paid by agreement to the City of Boston in addition to the excise tax prescribed by Section 10 of Chapter 121A. In summary, this draft contract provides that the Applicant would pay approximately 17% of the gross rents of the Project on account of taxes in each of the forty (40) calendar years next following the year 1975. The actual percentage will be determined subsequent to negotiations with the City of Boston.

E. Cost of the Project. In the opinion of the Authority, the cost of the Project has been realistically estimated in the Application and the Project is practicable. The estimated minimum cost is \$4,835,416.00. The Applicant will finance approximately 10% of the cost of the Project with non-institutionally supplied equity funds and approximately 90% with mortgage financing to be furnished by the Massachusetts Housing Finance Agency (the "MHFA"). The MHFA has given a commitment to provide construction and permanent mortgage financing for the Project. It is contemplated that the interests of the present limited partners of the Applicant (as provided in the Limited Partnership Agreement submitted as Exhibit L2 of the Application) will be syndicated to persons who will be admitted as substitute limited partners in exchange for capital contributions. Experience with similar financing and organizational methods persuades the Authority that the financial program is realistic.

F. Consistency with Master Plan. The Project does not conflict with the City of Boston Master Plan. The site is located in the South End Urban Renewal Area as delineated on the map of the "1965/1975 General Plan for the City of Boston and the Regional Core" published by the Authority. The proposed new buildings will be constructed or remodeled for residential use in compliance with the "1975 General Land Use Plan" for Boston as presented in the above-mentioned document, and in compliance with the South End Urban Renewal Plan.

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the City or to the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will, in fact, forward the best interests of the City and will constitute a public use and benefit. The structure to be erected under the Project has been reviewed by Design Review Staff of the Authority and, pursuant to the proposed Land Disposition Agreement, is subject to further Design Review. The Authority finds that it will enhance the general appearance of the Area and furnish attractive and necessary living accommodations. The location proposed is excellent for housing, having ready access to public transportation.

The carrying out of the Project will not in itself involve the displacement of any persons from their present dwellings. The carrying out of the project will require the demolition and/or rehabilitation of former commercial structures, as this area is now zoned for residential uses under the South End Urban Renewal Plan.

The Project Area does not include land within any location approved by State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston.

H. Environmental Considerations. In conformity with the provisions of Section 62 of Chapter 30 of the General Laws (as inserted by Chapter 781 of the Acts of 1972), and the Regulations thereunder as adopted by the Authority on April 11, 1974, the Authority has made an environmental examination which contains, among others, the following findings:

1. The Project does not adversely affect any recreational areas or any aesthetic values in the surrounding area.
2. No natural or man-made places are affected by the Project.
3. The Project affects no archeological structure or site.

4. The Project does not affect the potential use, extraction, or conservation of a scarce natural resource.

5. The Project Area is urban, and therefore, does not serve as a habitat for wild life.

6. Being urban, the Project has no impact on any wilderness areas.

7. The Project will require deviations from the Zoning Code of the City of Boston as further detailed herein, but not in such manner as will cause damage to the environment.

8. The Secretary of Environmental Affairs found on February 12, 1974, that no environmental impact statement was required for the Project under applicable state law. An Environmental Information Form has been submitted by the Applicant to HUD. Environmental clearance under the National Environmental Policy Act is presently being processed by that Agency.

9. The Project does not involve the disposal of potentially hazardous materials.

10. The Project does not involve the construction of facilities in a flood plain.

11. The Project, except necessarily during the construction phase, does not result in the generation of a significant amount of noise.

12. The Project does not result in a deleterious effect on the quality of any portion of the State's air or water resources.

13. The Project does not affect an area of important scenic value, or buildings with significant architectural attributes.

Therefore, the Authority concludes that the Project will not cause any environmental damage and, in its opinion, no further Reports need to be filed.

As a result of the investigation and Report of the Authority staff and of its own knowledge, the Authority hereby determines that the Project will not cause significant environmental damage and that the Secretary of the Authority be instructed to file with the Executive Office of Environmental Affairs its Report and finding in accordance with the Authority's Rules and Regulations.

I. Minimum Standards. The minimum standards for financing, construction, maintenance, and improvement of the Project, as set forth in Exhibit 3 filed with and attached to the Application, are hereby adopted and imposed as Rules and Regulations (in addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit B, the Authority hereby requires that the Applicant, prior to obtaining a building permit, (1) enter into a Regulatory Agreement with the Authority pursuant to the requirements of General Laws, Chapter 121A, Section 18C and containing such other terms and conditions as the Authority may in its discretion deem necessary and appropriate; (2) submit to the Authority for its review and approval such Plans and Specifications for the Project as the Authority may require, and accept such changes and modifications thereto as the Authority may deem necessary or appropriate; and (3) adhere to such Design Review Controls and Requirements as the Authority may in its discretion impose.

The carrying out of the Project will not require the erection, maintenance, and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private school having more than 50 pupils, or as a public or private hospital having more than 25 beds, or as a Church.

The Project involves the construction of units which constitute a single building under the Boston Building Code and Zoning Law. However, the provisions of Chapter 138 of the General Laws do not apply to the Project as presently planned.

J. Zoning and Building Deviations. Exhibit H filed with and attached to the Application lists the Zoning and Building Deviations sought by the Applicant. For the reasons set forth in the Application and supporting documents, including said Exhibit H, and on the basis of the evidence presented at the hearing, and in this Report, the Authority hereby finds that each and every one of the permissions hereinafter granted is reasonably necessary for the carrying out of the total Project and may be granted without substantially derogating from the intent and purposes of the applicable Laws, Codes, Ordinances and Regulations, respectively.

In summary, the Zoning Deviations for which permission is sought are as follows:

1. Building Law - On Building "D", the Structure to be Rehabilitated according to plans submitted, Exhibits B, B1, permission is required to deviate from the following Sections of the Massachusetts Building Code, Chapter 802, Acts of 1972:

Section 718.0 - Earthquake Load

This section sets forth the requirements for earthquake design loading which cannot be met in structure "D" since this building was constructed before the Code was adopted.

Section 816.0 - Mortar For Masonry

This Section sets forth requirements for mortar types and proportion of mix to be used. Again, variation from the Code is required since the building was constructed prior to the Code's adoption.

In general, other areas in which permission to vary from existing codes is required are:

Variance on Corridor Ventilation; pg. 5-11, Section 509.4

Ventilation in the area affected (See Plans A-5) is provided indirectly through an unobstructed door, through a link.

Variance on First Aid Standpipes; pg. 11-12, Section 1209.0

These are fittings intended to accommodate inside firefighting apparatus, to be used by occupants. (Bldgs. "A", "B", "C", "D")

Variance from Art. 1218.211

Elimination of fire detectors in both the bathrooms and clothes closets. It is submitted that inclusion of the detector in these two areas does not substantially contribute to a safer building. (Bldgs. "A", "B", "C" "D").

July 10, 1975

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: HEADSTART HOUSING ASSOCIATES
APPROVAL OF 121A REPORT AND DECISION WITH STATEMENT
OF NO SIGNIFICANT ENVIRONMENTAL IMPACT

On June 18, 1975, a public hearing was held for approval of a Project by Headstart Housing Associates, pursuant to Chapter 121A of the General Laws of Massachusetts.

The Applicant is a Limited Partnership and sought consent to construct a Project which consists of 3 new buildings and rehabilitated structure containing a total of 156 units. The Project is to provide low and moderate income housing and will be financed by the Massachusetts Housing Finance Agency with a 90% mortgage. The Project will use subsidies provided by Section 8 of the Housing and Community Development Act of 1974.

The Authority has also made inquiry into the Environmental Impact of the Project pursuant to Sections 61 and 62 of Chapter 30 of the Massachusetts General Laws. The proposal of Headstart Housing Associates has thus been examined both as to its Environmental Impact and as to its 121A criteria and is found fully acceptable.

It is therefore appropriate at this time that the Authority adopt the Report and Decision for Headstart Housing Associates and approve the Project as having no significant Environmental Impact.

An appropriate Vote follows:

VOTED: That the Document presented at this meeting entitled "Report and Decision on Application of Headstart Housing Associates for Approval of a Redevelopment Project Under G. L. Chapter 121A and Chapter 652 of the Acts of 1960, as Amended, On Parcels RC-9 and R-11 In the South End Urban Renewal Area" located on Washington, West Dedham and St. James Streets in the South End Urban Renewal Area by Headstart Housing Associates, which Report and Decision includes a determination by the Authority that said Project has no significant Environmental Impact, be and hereby is approved and adopted.

